

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 21-cr-18-wmc

KELLY HARPER,

Defendant.

MOTION TO SUPPRESS

Kelly Harper, by counsel, moves to suppress the statement she gave to the police and FBI on February 5, 2021. There are two separate bases to suppress the statement. First, Harper was in custody and interrogated without the benefit of *Miranda* warnings; second, the authorities' coercive tactics (making her fear that a hitman was out to kill her family and she needed to be truthful to help the FBI protect them) rendered the statement involuntary.

On May 24, the defense sent the government a copy of the motion to suppress and brief in support, so the parties could work out the redactions and necessary exhibits. This morning, the parties discussed the defense's motion, and the government is going to ask for an evidentiary hearing. It anticipates calling two witnesses; the defense will be in responsive mode. Rather than filing the defense's brief before the hearing, and a supplementary brief after the hearing, the defense will wait until after the evidentiary hearing to submit its brief in support of the motion to suppress.

Dated at Madison, Wisconsin, this 26th day of May, 2021.

Respectfully submitted,

Kelly Harper, Defendant

/s/Joseph A. Bugni
Joseph A. Bugni

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